

**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

MICHAEL GONZALES,

Plaintiff,

v.

HARMON, *et al.*,

Defendants.

Case No. 1:21-cv-00796-BAM (PC)

ORDER GRANTING PLAINTIFF'S MOTION  
FOR EXTENSION OF TIME TO FILE  
AMENDED COMPLAINT  
(ECF No. 9)

ORDER GRANTING MOTION TO SEND A  
COPY OF INITIAL COMPLAINT TO  
PLAINTIFF  
(ECF No. 10)

**THIRTY (30) DAY DEADLINE**

Plaintiff Michael Gonzales ("Plaintiff") is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983.

On August 11, 2021, the Court issued a screening order finding that Plaintiff's complaint failed to state a cognizable claim for relief and directing Plaintiff to file a first amended complaint or a notice of voluntary dismissal within thirty days. (ECF No. 8.)

Currently before the Court are Plaintiff's motion for extension of time to file an amended complaint and motion for a copy of the original complaint, filed September 16, 2021. (ECF Nos. 9, 10.) Plaintiff states that he has faced retaliation, including denial of law library access and the ability to get a copy of the initial complaint screened by the Court. Plaintiff therefore requests an extension of time to file his amended complaint as well as a copy of the original complaint.

Plaintiff states that he cannot amend any deficiencies in the original complaint without a copy of it. (*Id.*)

1 Having considered the request, the Court finds good cause to grant the requested  
2 extension of time. Fed. R. Civ. P. 6(b). As Plaintiff has not specified the length of extension  
3 needed, the Court finds that an extension of thirty days is reasonable under the circumstances.

4 As to his request for a copy of the original complaint, Plaintiff is reminded that the Court  
5 does not provide free copies of case documents to parties, even when a party is proceeding *in*  
6 *forma pauperis*. Ordinarily, the Clerk of Court charges \$0.50 per page for copies of documents.  
7 The Court will make a one-time exception in this instance and will direct the Clerk's Office to  
8 provide copies of the original complaint at no charge. However, Plaintiff is advised that any  
9 further copies will need to be paid for by Plaintiff and that it is his responsibility to maintain  
10 copies of all documents submitted to the Court for filing.

11 Accordingly, it is HEREBY ORDERED that:

- 12 1. Plaintiff's motion for extension of time to file amended complaint, (ECF No. 9), is  
13 GRANTED;
- 14 2. Plaintiff's motion for a copy of the original complaint, (ECF No. 10), is GRANTED;
- 15 3. The Clerk's Office is directed to mail one (1) copy of the original complaint, filed  
16 May 17, 2021, (ECF No. 1), to Plaintiff at his current mailing address;
- 17 4. The Clerk's Office shall send Plaintiff a complaint form;
- 18 5. Within **thirty (30) days** from the date of service of this order, Plaintiff shall file a first  
19 amended complaint curing the deficiencies identified by the Court's August 11, 2021  
20 screening order or file a notice of voluntary dismissal; and
- 21 6. **If Plaintiff fails to comply with this order, this action will be dismissed for failure**  
22 **to state a claim, failure to prosecute, and failure to obey a court order.**

23  
24 IT IS SO ORDERED.

25 Dated: September 21, 2021

26 /s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE